

# Daily Empire.

WM. T. LOGAN, Editor.

SATURDAY, JANUARY 3, 1863.

## The Negro Proclamation.

Mr. Lincoln has issued his proclamation of freedom to the African-Americans. He has declared the Negroes in the States where he has no control, forever free, and in the slave States where he has military control, he leaves the "poor African" to work out his own salvation without the help of a Presidential Proclamation.

Mr. Lincoln, poor weak man, thinks by this act he has exhibited JACKSONIAN qualities, that he has shown courage in issuing his proclamation, after its condemnation by the people. The people of the great States of New York, Pennsylvania, Ohio, Indiana and Illinois, have, through the ballot-box, repudiated the Emancipation Proclamation. They have through this method informed the President that it was distasteful to them, thereby asking him to withdraw it. He replies that he will not do it. He thus says to the people, "I care not for you will. I, ABRAHAM LINCOLN, take the responsibility to disregard it." Such is the position of the President to-day. It may be true that the President exhibits some nerve; but is he, as the representative of the people, doing right? It may be that Mr. Lincoln cares nothing for popularity. It is quite certain that he could never again be elected to a high office. The people have tried him and his party quite sufficiently, and will trust him no more. He has discarded judgment and policy, and is now acting from desperation, regardless of the welfare of the people or the country. Had the same political revolution occurred in England, the Ministry would have resigned, and others whose ideas conform to the will of the nation, would have taken their place. But it seems ours is no longer regarded as a popular government. According to the Abolition theory, the government is sovereign, and not the people. The President being the government, as they argue, it follows that he is supreme, and that the people are his subjects. With this view it is not difficult to understand the reason why the President repudiates the will of the people.

We suppose the radicals are now satisfied with the President. They have contended that it was only necessary to issue a proclamation of freedom to the negroes, and the rebellion would be immediately ended. Mr. LINCOLN himself, thought different, and only a few days before he issued it, he addressed the most conclusive reasons to the Chicago preachers why it should not be issued, and showed that it would be a mere farce. He even compared it to the Pope's Bull against the comet. But notwithstanding his own arguments against it and the verdict of the people in opposition to it, he has issued the supplementary document designating the States and parts of States which come under its operations.

We will recur to the subject again, and produce the evidence of Mr. LINCOLN, his Secretary of State, and the platform on which he was elected, to show that in issuing his proclamation, he has violated the Constitution and perjured himself.

## The Great Fight at Murfreesboro.

A terrific and bloody battle has been fought between the forces of ROSSER and JOHNSON. The result of the contest is not yet definitely known. We condense the following account of the fighting, up to Thursday, from the special correspondent of the Cincinnati Commercial, under date of Nashville, January 1st.

I have just arrived from a terrific battle, on Stone River, in front of Murfreesboro, on the west side of that town. It has raged with unintermitted fury two days, and at last report was not yet decided. It is one of the most ferocious of modern times, sustained by both sides with splendid determination.

General ROSSER, with about 45,000 effective men and 100 pieces of artillery, and skirmished all the way to the battle-field, the enemy retreating bitterly. The whole of Tuesday was spent in reconnoitering. The enemy was found strongly posted, with artillery, in a bend of the Stone River, his flanks resting on the west side of Murfreesboro.

The center also had the advantage of high ground, with a dense growth of cedar marking them completely. Their position gave them the advantage of a cross fire, and General McCook's corps closed in on their left on Wednesday's Green. Negley, of Thomas' corps, worked with great difficulty, to the front of the rebel center. ROSSER's division was in reserve. Crittenden's corps was posted on comparatively clear ground on their left; Palmer's and Van Cleve's divisions in front of the woods, and held in reserve. A battle was expected all day Tuesday, but the enemy merely skirmished and threw a few shells, one of which killed Orderly McDonald, of the 4th United States Cavalry, not ten feet from General ROSSER. That afternoon the Anderson Pennsylvania Cavalry, on McCook's flank, was drawn into an ambuscade, and its two Majors, Rosengarten and Ward, were killed.

Crittenden's corps lost four killed and two wounded that day, including Adjutant Elliott, of the 57th Indiana, severely wounded. McCook's loss was about fifty. The same day the rebel cavalry made a dash on our rear at Lavergh, burning a few wagons, and captured thirty-five prisoners.

At daybreak of the last day of December, every thing appeared working well. Battle had opened on our right, and our left wing was on hand at seven o'clock. Omniscious scouts indicated that the fire was approaching on the right. Aides were dispatched for information, and found the forests full of flying wagons, with some straggling soldiers, who reported whole regiments falling back rapidly.

Meantime one of McCook's aids announced to General ROSSER, that General Johnston had permitted the three batteries of his division to be captured by a sudden attack of the enemy, and that fact had somewhat demoralized the troops. This was obvious.

The brave General Sill, one of our best officers, was killed, General Kirk severely wounded, and General Whittier killed, or missing, besides other valuable officers.

General ROSSER, with splendid daring, dashed into the fire and sent his staff forward the lines, started Beatty's brigade forward—some six batteries opened and sustaining a magnificent fire—directly a tremendous shout was raised along the whole line. The enemy began to fall back rapidly. The General himself urged the troops forward. The rebels, thoroughly punished, were driven back fully a mile. The same splendid bravery was displayed in the center, and the whole line advanced. Meantime the enemy made formidable demonstrations on our left, while they prepared for another onslaught on our right. Meantime orders had been issued to move our left upon the enemy. Before they had time to execute it they burst upon our centre with awful fury, and it began to break. ROSSER's divisions were carried into the breach magnificently by their glorious leader, and the enemy again retreated hastily into the dense cedar thickets. Again they essayed our right, and again we were driven back. This time the number of our stragglers was formidable, and the prospect was discouraging, but there was no panic. The General, confident of success, continued to visit every part of the field, and with the aid of Thomas, McCook, Crittenden, ROSSER, Negley, and Wood, the tide of battle was again turned.

Early in the day, we were seriously embarrassed by the enterprise of rebel cavalry, who made some serious dashes upon some of McCook's ammunition and substance trains, capturing a number of wagons, and artillery ammunition was alarmingly scarce. At one time it was announced that not a single wagon load of it could be found. Some of our batteries were quiet on that account. This misfortune was caused by the capture of McCook's trains.

Between four and five o'clock, the enemy apparently exhausted by his rapid and incessant assault, took up a position not available without abundant artillery, and the fire on both sides slackened, and finally ceased at dark, the battle having raged eleven hours. The loss of life on our side is considerable. The field is comparatively limited. The whole casualty list that day, excluding captures, did not exceed perhaps one thousand and five hundred, of whom not more than one-fourth were killed. This is attributable to the care taken to make our men lie down. The enemy's loss must have been more severe; but among our losses we mourn such noble souls as General Sill, General August Willich, Colonel Garesche, Colonel Minor Miliken, 1st Ohio Cavalry, Colonel Hawkins, 18th Ohio; Colonel McKee, 3d Kentucky; Colonel Gorman, 15th Kentucky; Colonel Kell, 2d Ohio; Lieutenant Colonel Shepherd, 18th Regulars; Major Carpenter, 19th Regulars; Captain Edgarton, 1st Ohio Battery and his two Lieutenants, and many more.

No other Generals hurt. Among our wounded are General Kirk, General Van Cleve, so reported; Colonel Moody, 7th Ohio, who established a splendid reputation; Colonel King, 1st Regiment Regulars; Major Foot, Richer, Slemmons, 11th Regiment; Captains Rich, Wise, Barry, McDonnell, Power and York, Lieut. McAllister, 15th Regulars; Major Townsend, 18th Regulars; Captain Faug, 4th Regular Cavalry; Lieutenants McClellan, Miller and Foster, 27th Ohio.

When the battle closed, the enemy occupied ground which was ours in the morning, and the advantage theirs. Their object in attacking was to cut us off from Nashville; they almost succeeded.

At dark they had a heavy force on our right, leading to the belief that they intended to pursue. Their cavalry, meantime, was excessively troublesome, cutting deeply into our train behind us, and we had not cavalry enough to protect ourselves. The 4th Regulars made one splendid dash at them, capturing sixty-seven and releasing 500 prisoners they had taken from us. The enemy took a large number.

General ROSSER determined to begin the attack this morning, and opened furiously with our left at dawn. The enemy, however, would not retire from our right, and the battle worked that way. At eleven o'clock matters were not flattering on either side. At twelve o'clock our artillery, new supplies of ammunition having arrived, was manned, and a terrible fire opened. The enemy began to give way, General Thomas pressing on their center, and Crittenden advancing on their left. The battle was more severe at that hour than it had been at any other.

Both sides were anxious, but determined. ROSSER's loss is important. If he is defeated, it will be a heavy one, and he will fight as long as he has a breath. If he is victorious, the enemy will be destroyed. Some of our troops behaved badly; but most of them were heroes.

I believe all our troops but Walker's brigade, consisting of the 7th and 10th Ohio, and two other regiments, were on Wednesday's battle, those named being on guard; but they were engaged to-day.

11.15 O'CLOCK, A. M.—No later tidings of today's battle. Rebel cavalry are destroying our wagon train on Murfreesboro. History is being made. The battle was more severe at that hour than it had been at any other.

## John Quincy Adams on the Right to Free Slaves in War.

The following is taken from the Monthly Law Reporter for June, 1862, published in Boston, 485 486. The extract is from Letters of Mr. Adams, then President Monroe's Secretary of State, never before published; but now given to the public with the permission of the grandson, John Quincy Adams, Esq. The italics are Mr. Adams. The argument was made for the better enlightenment of the Emperor of Russia, arbitrator between us and England about slaves taken during the war of 1862.

But private property was not, and could not be, lawfully taken with the place. With the exception of maritime captures, private property in captured places is by the laws of nations respected—none could be lawfully taken—and the stipulation was that none should be carried away.

The British nation, as well as the United States, consider slaves property—slaves belonging to private individuals as private property, millions of such slaves are held as property in the British dominions, and they are recognized as such by the terms of the article.

It has been repeatedly asserted on the part of the British Government, that it could not be supposed they would have agreed to an article which would oblige them to deliver up to their masters slaves who, during the war, had taken refuge under their protection. The reply to this observation is, that if that had been an objection to their agreeing to the article, it should have been made before the signing of the article, and the engagement to carry away slaves at all. They had in fact numbers of slaves by these different modes of capture—one of such as had been seduced to run away from their masters by proclamations from British officers; a second, of voluntary fugitives whom they received; and a third, of such as had been taken in predatory excursions. You will find in Niles' Register, vol. xi, p. 242, the proclamation of Admiral Cochrane, instigating the desertion of slaves from their masters.

It is not openly addressed to slaves, nor does it avow its real object. From the use of the phraseology which it adopts, the inference is conclusive that the real object was such as the Admiral did not choose to avow, and the only avowable motive for the disguise is the consciousness that it was not conformable to the established usages of war among civilized nations. The wrong was in the proclamation. Admiral Cochrane had no lawful authority to give freedom to the slaves belonging to citizens of the United States. The recognition of them by Great Britain in the treaty as property, is a complete disclaimer of the right to destroy that property by making them free. Any engagement contracted with them to that effect was, in relation to the owners of the property, wrongful; and if, in relation to the slaves themselves, it was an engagement which the British Government assumed upon themselves and sanctioned, it could not divest the owners of the slaves of their property, nor release the British Government from the obligation to the United States, and to the owners, to evacuate the place without carrying them away.

On the 7th of July, 1820, he wrote to Mr. Rush, who was still at London: "The equity of the British side is, that they signed the articles without being aware of its full import, and that the stipulation was incompatible with their previous promises to the negroes. This is the real knot of the question between us, and its solution is that they had no right to make any such promises to the negroes. The principle is, that the emancipation of the enemy's slaves is not among the acts of legitimate war—as relates to the owners, it is a destruction of private property, nowhere warranted by the usages of war. This principle must, I think, be peculiarly familiar to the Emperor of Russia, and may be pressed upon his attention in the case of reference, with effect."

On the 18th of October, 1820, he again wrote to Mr. Middleton: "In the statement of the British ground of argument upon the claim to submission, they have broadly asserted the right of emancipating slaves—private property—as a legitimate right of war. This is utterly incomprehensible on the part of a nation whose subjects hold slaves by the million, and who, in this very treaty, recognize them as private property. No such right is acknowledged as a law of war by writers who admit any limitation. The right of putting to death all prisoners in cold blood, and without special cause, might as well be pretended to be a law of war, as the right to use poisoned weapons, or to assassinate. I think the Emperor will not recognize the right of emancipation a legitimate warfare, and am persuaded you will present the argument against it."

The learned writer, one of the most eminent Jurists in the United States, then observed: "By these extracts it will be seen that the Government of the United States is publicly pledged to two propositions of public law: 1. That the property of private persons is not liable to seizure and confiscation in war. 2. That in waging war against a slaveholding nation, the slaves of private persons are to be treated as private property, and that it is not within the limits of legitimate hostilities to capture or entice them from their masters."

To these propositions the United States are committed. They cannot deny them, without rendering themselves justly liable to the reproach of asserting in their own behalf a doctrine which they refuse to apply to others. A nation cannot honorably practice against an enemy that method of warfare which it denounces as illegitimate, when employed against itself. It would be better to submit to difficulty and danger than to falsify the pages of our history with the record of duplicity and unfairness.

These propositions are not only binding upon the honor of the country, but they are commended to the reason of the student by the great authority to which the opinions of Mr. Adams upon questions of public law are justly entitled. Few American diplomats have been so profoundly versed in public law, and none have excelled him in uprightness and in sense of national honor. His well known love of freedom renders it certain that his views in regard to the slave question were not influenced by passion or prejudice. If at a later period of his life, amid the excitement of a heated and personal debate, he expressed opinions somewhat at variance with those of his diplomatic argument of this question, it should not be forgotten that in this instance he was speaking with all the responsibility of a minister of state, while in that he was defending himself against a parliamentary attack of unexampled bitterness.

[Extract from Letters on the Battle Field.]

This battle (Antietam) has been the most sanguinary of the war, and the only one fought with visible design and upon military principles. The management of our forces, the overlooking position of the commanding General—the sending into action the right and left divisions—the closing up of the center, and final success—excites bewildering admiration, and carries the mind to the great fields of Austerlitz and Wagram, fought by Napoleon. Of all this I have long spoken. The heart history of such a conflict, purchased by this life and blood of twenty thousand men, must be found in the hospitals. War has its glories—but it has its terrors and dangers in these human tortures, that makes the eyeballs ache—the heart bleed—the lips pale, and the brain reel. The sight is at first positively unendurable. The life-blood of some is still trickling away in silent calanities, while discolored limbs, and mania brain of others give rise to sounds God grant I may not again witness.

How ye mothers, who here seek a son—or wives a husband—or sisters a brother—or sons a father—know and be consoled that even here the hand of mercy is watchful, and better care is bestowed upon your loved ones than might at first seem possible. It was in the hospital, where rested the gallant Hooker, that I learned the history of those mythical words so often seen and so little understood, "S. T.—1860—X." Anything alleviating the sufferings and saving the lives of our soldiers, is a national blessing. I witnessed some astonishing results from this article.

It is well known the effect of burnt gunpowder and excitement is thirst, which added to the loss of blood in the wounded, creates the necessity of a reviving stimulant. In this particular hospital, the physicians were allowing their patients to drink Plantation Bitters, otherwise called S. T.—1860—X, and although the wounded are most numerous here—this division having opened the fight at 5 in the morning—the men were mostly composed, and there was very little fainting. The article acts upon the stomach and nerves in a most incomprehensible manner, superior to brandy, and without subsequent stupefying reaction. It originated in the West Indies, composed of the celebrated Calisaya Bark, Roots, Herbs, &c.; all preserved in St. Croix Rum—the S. T.—1860—X, being a secret ingredient, not yet revealed to the public. It is principally recommended for want of appetite, disordered liver, intermittent fevers, stomach difficulties, &c. I understand it was somewhat known in the Southern States previous to the war, and it appears an agent of Jefferson Davis recently applied to the proprietors for the privilege to make it for hospital purposes during the war, to which they made the following reply:

New York, Jan. 16th, 1862.  
Mr. Agent of S. T.—  
Dear Sir,—In reply to our communication, offering us "Fifty thousand dollars for the recipe and right to make the Plantation Bitters for your hospital purposes during the war," we beg to say, your price is liberal, one, considering it would cost us nothing to comply, and that otherwise we can derive no revenue from the Southern States; but our duties to our Government, and our sense of consistency would not allow us to entertain it, although it might please us to assuage the sufferings of your misguided followers.

We remain,  
Very respectfully yours,  
P. H. FRANK & CO.

These gentlemen give the history of certain ingredients of their article for over two hundred years—showing that through all changes of the medical profession and its practitioners, strength, composure and cheerfulness have been derived from these sources. Dr. Woods in the Washington Hospitals informed me that one patient was fast sinking, and crazy, and had not slept an hour for two weeks, until the Plantation Bitters came to his knowledge, when one day's trial gave him a night's rest, and he was now fast recovering. I am surprised our Government has not equalled Jefferson Davis in energy, and adopted this invaluable article in all our hospitals. The weak soldiers cling to it like a brother. As a day's member, I can bear witness, it is "good to take," and affords more energy and life than anything I ever tried. Success to the Plantation Bitters. But I have digressed. In my next I shall speak of a letter to the wounded, burying the dead, &c.

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ZEPHYR WOOL HOODS, at 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, 75, 80, 85, 90, 95, 100, 110, 120, 130, 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, 260, 270, 280, 290, 300, 310, 320, 330, 340, 350, 360, 370, 380, 390, 400, 410, 420, 430, 440, 450, 460, 470, 480, 490, 500, 510, 520, 530, 540, 550, 560, 570, 580, 590, 600, 610, 620, 630, 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 790, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 910, 920, 930, 940, 950, 960, 970, 980, 990, 1000.

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